

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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4 DANIEL DAVID DYDZAK,  
5 Plaintiff,

2:22-cv-01008-APG-VCF

6 vs.

**ORDER**

7 TANI CANTIL-SAKAUYE, *et al.*,  
8 Defendants.

MOTION TO EXTEND TIME [ECF No. 78]

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10 United States Circuit Judge A. Wallace Tashima moves for an extension of time to October 31,  
11 2022 to file a response to pro se plaintiff Daniel David Dydzak's complaint. ECF No. 78. Plaintiff did  
12 not file a response. Per Local Rule 7-2(d), "The failure of an opposing party to file points and authorities  
13 in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees,  
14 constitutes a consent to the granting of the motion." Since plaintiff did not file a response, he consents to  
15 granting this motion. I grant the motion to extend time.

16 Accordingly,

17 I ORDER that United States Circuit Judge A. Wallace Tashima's motion to extend time (ECF  
18 No. 78) is GRANTED. Judge Wallace has until October 31, 2022 to file a response to plaintiff's  
19 complaint.

20 **NOTICE**

21 Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and  
22 recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk  
23 of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal  
24 may determine that an appeal has been waived due to the failure to file objections within the specified  
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1 time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file  
2 objections within the specified time and (2) failure to properly address and brief the objectionable issues  
3 waives the right to appeal the District Court's order and/or appeal factual issues from the order of the  
4 District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch.*  
5 *Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Pursuant to LR IA 3-1, the plaintiff must immediately file  
6 written notification with the court of any change of address. The notification must include proof of  
7 service upon each opposing party's attorney, or upon the opposing party if the party is unrepresented by  
8 counsel. Failure to comply with this rule may result in dismissal of the action.

9 IT IS SO ORDERED

10 DATED this 28th day of October 2022.



11 CAM FERENBACH  
12 UNITED STATES MAGISTRATE JUDGE  
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